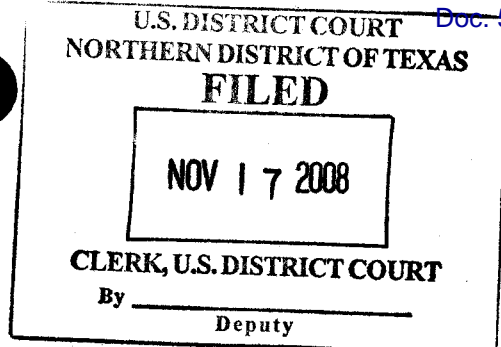


US District  
ORIGINAL

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

DALLAS DIVISION



SEC

Plaintiff

v.

MARK CUBAN

Defendant

§

§

§

§

§

3-08CV2050-D

Case Number

APPLICATION AND ORDER FOR ADMISSION PRO HAC VICE

I. Applicant is an attorney and a member of the law firm of (or practices under the name of)

SEC, with offices at 100 F STREET, N.E.  
(Street Address)

WASHINGTON, D.C., 20549, 202-551-4442  
(City) (State) (Zip Code) (Telephone No.)

II. Applicant will sign all pleadings with the name KEVIN P. O'ROURKE

III. Applicant has been retained personally or as a member of the above-named firm by

SECURITIES AND EXCHANGE COMMISSION

(List All Parties Represented)

to provide legal representation in connection with the above-styled matter now pending before the United States District Court; for the Northern District of Texas.

IV. Applicant is a member in good standing of the bar of the highest court of the state of

THE DISTRICT OF COLUMBIA, where Applicant regularly practices law.

Bar license number: 254920 Admission date: December 15, 1978

V. Applicant has also been admitted to practice before the following courts:

| Court: | Admission Date: | Active or Inactive: |
|--------|-----------------|---------------------|
|        |                 |                     |
|        |                 |                     |
|        |                 |                     |
|        |                 |                     |

VI. Applicant has never involuntarily lost, temporarily or permanently, the right to practice before any court or tribunal, or resigned in lieu of discipline, except as provided below:

VII. Applicant has never been subject to grievance proceedings or involuntary removal proceedings—regardless of outcome—while a member of the bar of any state or federal court or tribunal that requires admission to practice, except as provided below:

VIII. Applicant has not been charged, arrested, or convicted of a criminal offense or offenses, except as provided below (omit minor traffic offenses):

IX. Applicant has filed for *pro hac vice* admission in the United States District Court for the Northern District of Texas during the past three (3) years in the following matters:

Date of Application

Case No. And Style

\_\_\_\_\_  
\_\_\_\_\_

(If necessary, attach statement of additional applications.)

X. Local counsel of record associated with Applicant in this matter is TOBY GALLOWAY  
who has offices at BURNETT PLAZA, SUITE 1900, 801 CHERRY STREET, FORT WORTH, TX 76102,  
(Address)  
817-978-6447.  
(Telephone No.)

XI. Check the appropriate box below.  
For Application in a **Civil Case**

- ☒ Applicant has read *Dondi Properties Corp. v. Commerce Savs. & Loan Ass'n*, 121 F.R.D. 284 (N.D. Tex. 1988) (en banc), and the local civil rules of this court and will comply with the standards of practice adopted in *Dondi* and with the local civil rules.

For Application in a **Criminal Case**

- ☐ Applicant has read and will comply with the local criminal rules of this court.

XII. Applicant respectfully requests to be admitted to practice in the United States District Court for the Northern District of Texas for this cause only.

SIGNED this 17<sup>th</sup> day of NOVEMBER, 20 08.

\_\_\_\_\_  
KEVIN P. O'ROURKE

Printed Name of Applicant

Kevin P. O'Rourke  
Signature

I hereby certify that I have served a true and correct copy of this document upon each attorney of record and the original upon the clerk of court accompanied by a \$25.00 filing fee on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Printed Name of Applicant

\_\_\_\_\_  
Signature

ORDER

The Court, having considered the above Application for Admission *Pro Hac Vice*, orders that:

☒ the application be granted. The Clerk of Court shall deposit the application fee to the account of the Non-Appropriated Fund of this Court.

☐ the application be denied. The Clerk of Court shall return the admission fee to the Applicant.

November 17, 2008  
DATE

James A. [Signature]  
JUDICIAL OFFICER